

and Drugs Act on or about April 30, 1936, from the State of Maryland into the District of Columbia of quantities of Tincture Cinchona Comp. and Powdered Extract Nux Vomica that were adulterated and misbranded. The articles were labeled in part: "Tincture Cinchona Comp. U. S. P. X (Tincture Cinchonae Composita) Standard: Each 100 cc. contains not less than 0.4 Gm. and not more than 0.5 Gm. of Alkaloids"; "Powdered Extract Nux Vomica U. S. P. X Strychnos Nux Vomica Contains 15.2 to 16.8% of Alkaloids \* \* \* Burrough Bros. Mfg. Co. \* \* \* Baltimore, Md."

The articles were alleged to be adulterated in that they were sold under and by names recognized in the United States Pharmacopoeia and differed from the standard of strength, quality, and purity as determined by the tests laid down therein in the following respects: The Tincture Cinchona Comp. contained in each 100 cubic centimeters less than 0.4 gram of alkaloids of cinchona, whereas the pharmacopoeia provided that tincture of cinchona compound should contain in each 100 cubic centimeters not less than 0.4 gram of the alkaloids of cinchona; and the Powdered Extract Nux Vomica yielded not more than 10.97 percent of the alkaloids of nux vomica, whereas the pharmacopoeia provided that extract of nux vomica should yield not less than 15.2 percent of the alkaloids of nux vomica; and the standard of strength, quality, and purity of the articles was not declared on the containers thereof. The articles were alleged to be adulterated further in that their strength and purity fell below the professed standard and quality under which they were sold in that they were represented to conform to the standards laid down in the United States Pharmacopoeia, tenth revision, whereas they did not conform to the standards laid down in said pharmacopoeia, tenth revision; and the Tincture Cinchona Comp. was represented to contain in each 100 cubic centimeters not less than 0.4 gram of the alkaloids of cinchona, whereas each 100 cubic centimeters of the article contained not more than 0.352 gram of the alkaloids of cinchona; and the Powdered Extract Nux Vomica was represented to contain not less than 15.2 percent of the alkaloids of nux vomica, whereas it contained not more than 10.97 percent of the alkaloids of nux vomica.

The articles were alleged to be misbranded in that the statements, "Tincture Cinchona Comp. U. S. P. X \* \* \* Each 100 cc. contains not less than 0.4 Gm. \* \* \* of Alkaloids", and "Powdered Extract Nux Vomica U. S. P. X \* \* \* Contains 15.2 to 16.8% of alkaloids", borne on the bottle labels, were false and misleading.

On May 20, 1937, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$50 and costs.

M. L. WILSON, *Acting Secretary of Agriculture.*

**27384. Misbranding of Kroup Monia Cough Syrup. U. S. v. 162 Bottles of Kroup Monia Cough Syrup. Default decree of condemnation and destruction.**  
(F. & D. no. 38534. Sample no. 13603-C.)

The labeling of this product bore false and fraudulent representations regarding its curative or therapeutic effects. It contained less chloroform than declared on the label.

On or about November 21, 1936, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 162 bottles of Kroup Monia Cough Syrup at Norfield, Miss., alleging that the article had been shipped in interstate commerce on or about September 15, 1936, by W. D. Taylor & Co., from Bessemer, Ala., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that it consisted essentially of sugar, water, ammonium chloride, glycerin, alcohol, chloroform (1.3 minims per fluid ounce), menthol, and extracts of plant materials including pine.

The article was alleged to be misbranded in that the statements "4 Minims Chloroform To ounce", borne on the carton, and "4 Mins. Chloroform to oz.", borne on the bottle label, were false and misleading when applied to an article containing less than 4 minims of chloroform to an ounce. It was alleged to be misbranded further in that the following statements regarding its curative or therapeutic effects, appearing in the labeling, were false and fraudulent: (Carton) "Kroup Monia Cough Syrup A safe, \* \* \* and effective treatment for the relief of certain coughs, \* \* \* hoarseness and similar bronchial irritations. \* \* \* for coughs and hoarseness. \* \* \* effective aid in the relief of certain types of Coughs and Hoarseness and Bronchial Irritations";

(bottle label) "Kroup Monia \* \* \* A Safe, \* \* \* efficient treatment for the relief of \* \* \* Coughs, Croup, Whooping Cough, Hoarseness and similar diseases of the Respiratory Organs."

On May 14, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

**27385. Misbranding of Rx 444 for Males and Rx 333 for Females. U. S. v. 45 Packages of Rx 444 for Males and 45 Packages of Rx 333 for Females. Default decrees of condemnation and destruction. (F. & D. nos. 38759, 38760. Sample nos. 13672-C, 13673-C.)**

The labeling of these products bore false and fraudulent representations regarding their curative and therapeutic effects and failed to bear a correct statement of the quantity or proportion of alcohol contained in them.

On December 11, 1936, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 45 packages of Rx 444 for Males and 45 packages of Rx 333 for Females at New Orleans, La., alleging that they had been shipped in interstate commerce on or about October 24, 1936, by Foundation Laboratories, Inc., from Chicago, Ill., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended. The articles were labeled in part: (Rx 444, box) "For Males"; (Rx 333, box) "For Females"; (circular entitled "Foundation Laboratories, Inc.") "Rx 333 and Rx 444 are carefully, physiologically standardized solutions of hormones especially processed by pharmaceutical chemists for use as a general glandular tonic \* \* \* Rx 333 and Rx 444 are applied in the same manner. Clean the pores of the skin on the underside of the forearm so the solution will be more readily absorbed. Apply the contents of one of the vials on the underside of the forearm and rub gently into the skin until the solution has vanished. Make two applications the first day and follow with one a day for one week. After results are obtained, use one or more vials a week as the physical condition may require \* \* \*."

Samples taken from both products were found to consist essentially of water, alcohol (40 percent in the Rx 444 and 34 percent in the Rx 333), small amounts of phosphates, magnesium compounds, protein, and perfume.

The articles were alleged to be misbranded in that the packages failed to bear on their labels a statement of the quantity or proportion of alcohol contained in the articles since the statement made was incorrect. They were alleged to be misbranded further in that the box labels and accompanying circulars bore false and fraudulent representations regarding the effectiveness of the Rx 444 in the treatment of inflamed, enlarged, swollen, and diseased prostate, frequent desire to urinate, backache, pains in the limbs, irritation of the bladder, nervous restlessness, pains in the pelvic region, prostatitis, nervous disturbance, feeling of depression, worry, neurasthenia, melancholia, reflex pains and disturbances, pains resembling sciatica, backache, rheumatism, disturbed digestion, diseased prostate, abnormalities resulting from diseased prostate, loss of weight, grouching, glandular unbalance, rheumatism, neuritis, arthritis, swollen legs, impotence, or any disorder arising from the improper functioning of the prostate and its effectiveness to restore the vigor of youth and normal every day health; and the effectiveness of the Rx 333 in the treatment of aches, nervousness, and worry accompanying menopause, ovarian disorders and diseases, ovarian gland distress, nerves, ovarian congestion, inflammation and enlargement, frequent desire to urinate at night, backache, blues, amenorrhea, dysmenorrhea, certain types of sterility, sexual apathy, neuroses and psychoses connected with irregular menstruation, circulatory unbalance, climacteric disorders, vomiting of pregnancy, obesity, pains and aches, ovarian abnormalities, serious conditions of a diseased or semidiseased condition of the ovarian gland, run-down condition, glandular unbalance, rheumatism, arthritis, neuritis, and that it was a glandular tonic and treatment and health help; that it was effective to preserve health, to restore the vigor of youth, the buoyancy of yesteryear and bring about normal every-day health; and effective to activate the ovarian glands and to restore the diseased organ to proper functioning.

On January 6, 1937, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*